

[3410-01]

DEPARTMENT OF AGRICULTURE

Forest Service

Sierra National Forest, California, Sierra National Forest Motorized Travel

Management EIS

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: The Sierra National Forest (Sierra NF) will prepare an Environmental Impact Statement to disclose the impacts associated with the following proposed actions:

1. The prohibition of wheeled motorized vehicle travel off designated NFS roads, NFS trails and areas by the public except as allowed by permit or other authorization. 2. The addition of approximately 54 miles of existing unauthorized tracks to the current system of National Forest System (NFS) motorized trails, the permanent conversion of 72 miles of NFS Roads to NFS Trails, the management of 61 miles of NFS Roads as NFS Trails and the addition of six acres for motorized use. 3. The changing of the allowable use or season of use on approximately 970 miles of existing NFS Roads and closing approximately 200 miles of existing NFS Roads to public access unless allowed by permit or other authorization.

DATES: The comment period on the proposed action will extend 45 days from the date the Notice of Intent is published in the Federal Register.

Completion of the Draft Environmental Impact Statement (DEIS) is expected in

Unmanaged OHV use has resulted in unplanned roads and trails, erosion, watershed and habitat degradation, and impacts to cultural resource sites. Compaction and erosion are the primary effects of OHV use on soils. Riparian areas and aquatic dependent species are particularly vulnerable to OHV use. Unmanaged recreation, including impacts from OHVs, is one of “Four Key Threats Facing the Nation’s Forests and Grasslands.” (USDA Forest Service, June 2004).

On August 11, 2003, the Pacific Southwest Region of the Forest Service entered into a Memorandum of Intent (MOI) with the California Off-Highway Motor Vehicle Recreation Commission, and the Off-Highway Motor Vehicle Recreation Division of the California Department of Parks and Recreation. That MOI set in motion a region-wide effort to “Designate OHV roads, trails, and any specifically defined open areas for motorized wheeled vehicles on maps of the 19 National Forests in California by 2007.”

On November 9, 2005, the Forest Service published final travel management regulations in the Federal Register (FR Vol. 70, No. 216-Nov. 9, 2005, pp 68264-68291). This final Travel Management Rule requires designation of those roads, trails, and areas that are open to motor vehicle use on National Forests. Designations will be made by class of vehicle and, if appropriate, by time of year. The final rule prohibits the use of motor vehicles off the designated system as well as use of motor vehicles on routes and in areas that are not designated.

On some NFS lands, long managed as open to cross-country motor vehicle travel, repeated use has resulted in unplanned, unauthorized tracks. These tracks generally developed without environmental analysis or public involvement, and do not have the same status as NFS roads and NFS trails included in the forest transportation system. Nevertheless, some unauthorized tracks are well-sited, provide excellent opportunities for outdoor recreation by motorized and non-motorized users, and would enhance the National Forest system of designated roads, trails and areas. Other unauthorized tracks are poorly located and cause unacceptable impacts. Only NFS roads and NFS trails can be designated for wheeled motorized vehicle use. In order for an unauthorized track to be designated, it must first be added to the forest transportation system.

In accordance with the MOI, the Sierra NF completed an inventory of unauthorized tracks on NFS lands in August of 2006, identifying approximately 520 miles of known unauthorized tracks. The Sierra NF then used an interdisciplinary process to conduct a Travel Analysis including working with the public to determine whether any of the unauthorized tracks should be proposed for addition to the Sierra NF transportation system. Roads, trails and areas that are currently part of the Sierra NF transportation system and are open to wheeled motorized vehicle travel will remain designated for such use except as described below under Proposed Action. This proposal focuses on the prohibition of wheeled motorized vehicle travel off designated routes and needed changes to the Sierra NF transportation system, including the addition of some unauthorized routes to the Sierra NF transportation system and minor changes to the existing transportation systems. The proposed action is being carried forward in accordance with

the Travel Management Rule (36 CFR Part 212).

In accordance with the rule, following a decision on this proposal, the Sierra NF will publish a Motor Vehicle Use Map (MVUM) identifying all Sierra NF roads, trails and areas that are designated for motor vehicle use. The MVUM shall specify the classes of vehicles and, if appropriate, the times of year for which use is designated.

Purpose and Need for Action

The following needs have been identified for this proposal:

1. There is a need for regulation of unmanaged wheeled motorized vehicle travel by the public. Currently, wheeled motorized vehicle travel by the public is allowed off designated routes below 6,800 feet elevation. In their enjoyment of the Sierra NF, motorized vehicle users have created numerous unauthorized routes. The number of such routes continues to grow each year with many routes having environmental impacts and safety concerns that have not been addressed. The Travel Management Rule, 36 CFR Part 212, provides policy for ending this trend of unauthorized route proliferation and managing the Forest transportation system in a sustainable manner through designation of motorized NFS roads, trails and areas, and the prohibition of cross-country travel.
2. There is a need for limited changes and additions to the Sierra NF transportation system to:
 - 2.1. Provide wheeled motorized access to dispersed recreation opportunities (camping, hunting, fishing, hiking, horseback riding, etc.)
 - 2.2. Provide a diversity of wheeled motorized recreation opportunities (4X4 Vehicles, motorcycles, ATVs, passenger vehicles, etc.)

It is Forest Service policy to provide a diversity of road and trail opportunities for experiencing a variety of environments and modes of travel consistent with the National Forest recreation role and land capability (FSM 2353.03(2)).

In meeting these needs the proposed action must also achieve the following purposes:

- A. Avoid impacts to cultural resources.
- B. Provide for public safety.
- C. Provide for a diversity of recreational opportunities.
- D. Assure adequate access to public and private lands.
- E. Provide for adequate maintenance and administration of the transportation system based on availability of resources and funding to do so.
- F. Minimize damage to soil, vegetation and other forest resources.
- G. Avoid harassment of wildlife and significant disruption of wildlife habitat.
- H. Minimize conflicts between wheeled motor vehicles and existing or proposed recreational uses of NFS lands.
- I. Minimize conflicts among different classes of wheeled motor vehicle uses of NFS lands or neighboring federal lands.
- J. Assure compatibility of wheeled motor vehicle use with existing conditions in populated areas, taking into account sound, emissions, etc.
- K. Have valid existing rights of use and access (rights-of-way).

Proposed Action

1. Prohibition of wheeled motorized vehicle travel off the designated NFS

roads, NFS trails and areas by the public except as allowed by permit or other authorization.

2. Additions to the National Forest Transportation System - The Sierra NF currently manages and maintains approximately 2,530 miles of NFS roads and no NFS motorized trails. Based on the stated purpose and need for action and as a result of the recent Travel Analysis process; the Sierra NF proposes to add no NFS roads; add approximately 54 miles of new motorized trail; permanently convert 72 miles of NFS Roads to NFS Trails; manage 71 miles of NFS Roads as NFS Trails; and add approximately six acres of new motorized use areas.

[illegible]

Miami	Open to Vehicles Less Than 50"	1.72	May-20 to Dec-01	Bass Lake
MMTB Miami	Open to Vehicles Less Than 50"	2.27	Apr-20 to Dec-01	Bass Lake
Power Loop E	Open to Vehicles Less Than 50"	0.25	Apr-20 to Dec-01	Bass Lake
Power Loop N	Open to Vehicles Less Than 50"	0.82	Apr-20 to Dec-01	Bass Lake
Powerline	Open to Vehicles Less Than 50"	0.70	May-20 to Dec-01	Bass Lake
Quartz Mtn	Open to Vehicles Less Than 50"	0.64	Jun-15 to Nov-01	Bass Lake
Rock Creek	Open to Vehicles Less Than 50"	0.53	Apr-20 to Dec-01	Bass Lake
Rush	Open to Vehicles Less Than 50"	1.73	May-20 to Dec-01	Bass Lake
Shady E Miami	Open to Vehicles Less Than 50"	0.35	Apr-20 to Dec-01	Bass Lake
Shady Miami	Open to Vehicles Less Than 50"	2.38	May-20 to Dec-01	Bass Lake
Soquel	Open to Vehicles Less Than 50"	0.68	Apr-20 to Dec-01	Bass Lake
Stagecoach	Open to Vehicles Less Than 50"	3.12	Apr-20 to Dec-01	Bass Lake
Summit	Open to Vehicles Less Than 50"	1.05	Year Round	Bass Lake
Sunflower Miami	Open to Vehicles Less Than 50"	0.97	Year Round	Bass Lake
Texas	Open to Vehicles Less Than 50"	0.64	Year Round	Bass Lake
Whiskey	Open to Vehicles Less Than 50"	1.58	Year Round	Bass Lake
45 Cutoff	Open to All Vehicles	0.69	May-20 to Dec-01	High Sierra
Basecamp	Open to All Vehicles	1.07	Year Round	High Sierra
Bearpaw	Open to All Vehicles	0.64	Year Round	High Sierra
Boneyard	Open to All Vehicles	0.48	Year Round	High Sierra
Buck	Open to All Vehicles	0.10	Apr-20 to Dec-01	High Sierra
Campfire	Open to All Vehicles	0.17	Year Round	High Sierra
Campout	Open to All Vehicles	0.09	Year Round	High Sierra
Dayuse	Open to All Vehicles	0.16	Year Round	High Sierra
Doe	Open to All Vehicles	0.29	Year Round	High Sierra
Dry Camp	Open to All Vehicles	0.07	Year Round	High Sierra
Fawn	Open to All Vehicles	0.11	Year Round	High Sierra
Horseshoe	Open to All Vehicles	0.13	Year Round	High Sierra
Kaiser	Open to All Vehicles	0.02	Year Round	High Sierra
Lower Bald	Open to All Vehicles	3.34	Year Round	High Sierra
Lower Dinkey	Open to All Vehicles	0.44	Year Round	High Sierra
North Bald	Open to All Vehicles	0.66	May-20 to Dec-01	High Sierra
One Mile	Open to All Vehicles	0.26	Year Round	High Sierra
Racoon	Open to All Vehicles	0.71	Year Round	High Sierra
Ridgeline	Open to All Vehicles	0.68	Year Round	High Sierra
Ridgetop	Open to All Vehicles	1.08	Year Round	High Sierra
Rockhopper	Open to All Vehicles	1.15	Apr-20 to Dec-01	High Sierra
Rockslide	Open to All Vehicles	1.20	Year Round	High Sierra
Sand Flats	Open to All Vehicles	0.27	Year Round	High Sierra
South Fort	Open to All Vehicles	0.13	Year Round	High Sierra
Spike	Open to All Vehicles	0.05	Year Round	High Sierra
Streamside	Open to All Vehicles	0.14	Year Round	High Sierra
Tamarack	Open to All Vehicles	0.06	Year Round	High Sierra
Upper Bald	Open to All Vehicles	2.14	Apr-20 to Dec-01	High Sierra
Upper Dinkey	Open to All Vehicles	0.19	Year Round	High Sierra
Creekside	Open to Vehicles Less Than 50"	1.91	Apr-20 to Dec-01	High Sierra
Roadside	Open to Vehicles Less Than 50"	1.37	Year Round	High Sierra

CONVERT FROM NFS ROADS TO NFS TRAILS					
ROAD/TRAIL NUMBER	BEG MP	END MP	VEHICLE CLASS	SEASON OF USE	DISTRICT
HITE COVE OHV ROUTE (03S002)	1.25	4.95	Open to All Vehicles	Apr-20 to Dec-01	Bass Lake
STAR LAKES OHV ROUTE (05S026)	0.6	2.9	Open to All Vehicles	Year Round	Bass Lake
GREEN MTN OHV ROUTE (05S030X)	0	2	Open to All Vehicles	Year Round	Bass Lake
CATTLE MTN OHV ROUTE (05S030XA)	0	2	Open to All Vehicles	Year Round	Bass Lake
RED TOP OHV ROUTE (05S070A)	0	1.2	Open to All Vehicles	Year Round	Bass Lake
GLOBE ROCK AA SPUR (05S070AA)	0	0.66	Open to All Vehicles	Year Round	Bass Lake
IRON LAKES OHV ROUTE (05S092A)	0	0.6	Open to All Vehicles	Year Round	Bass Lake
DUSY-ERSHIM OHV ROUTE (07S032)	1.2	25.2	Open to All Vehicles	Jul-15 to Nov-01	High Sierra
COYOTE OHV ROUTE (08S042)	3.2	6.1	Open to All Vehicles	Jun-01 to Nov-01	High Sierra
STRAWBERRY OHV ROUTE (08S042X)	0	2.5	Open to All Vehicles	Jun-01 to Nov-01	High Sierra
WEST LAKE OHV ROUTE (08S042XA)	0	0.3	Open to All Vehicles	Jun-01 to Nov-01	High Sierra
MIRROR LAKE OHV ROUTE (08S042XB)	0	0.7	Open to All Vehicles	Jun-01 to Nov-01	High Sierra
BREWER LAKE OHV ROUTE (09S034)	0	2.1	Open to All Vehicles	Jun-01 to Nov-01	High Sierra
BALD MTN OHV ROUTE (09S043)	0	4.5	Open to All Vehicles	Year Round	High Sierra
BALD OHV B (09S043B)	0	1.8	Open to All Vehicles	May-20 to Dec-01	High Sierra
PEEP OHV (09S043A)	0	0.2	Open to All Vehicles	May-20 to Dec-01	High Sierra
TRI-TIP OHV ROUTE (09S091)	0	1.3	Open to All Vehicles	May-20 to Dec-01	High Sierra
SWAMP LAKE OHV ROUTE (10S015)	0	13.8	Open to All Vehicles	Jun-15 to Nov-01	High Sierra
SPANISH LAKE OHV ROUTE (11S007A)	0	5.7	Open to All Vehicles	Aug-01 to Nov-01	High Sierra

/	BEG MP	END MP		SEASON OF USE	
	0				
	0				
	0			Year Round	Bass Lake
	0			Year Round	Bass Lake
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	0			Year Round	Bass Lake
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High Sierra Ranger District, 29688 Auberry Road, Prather, CA

Responsible Official

Edward C. Cole, Forest Supervisor, 1600 Tollhouse Rd, Clovis, CA, 93611

Nature of Decision To Be Made

The responsible official will decide whether to adopt and implement the proposed action, an alternative to the proposed action, or take no action to make changes to the existing Sierra NF Transportation System and prohibit cross country wheeled motorized vehicle travel by the public off the designated system. Once the decision is made, the Sierra NF will publish a Motor Vehicle Use Map (MVUM) identifying the roads, trails and areas that are designated for motor vehicle use. The MVUM shall specify the classes of vehicles and, if appropriate, the times of year for which use is designated.

Scoping Process

Public participation will be especially important at several points during the analysis. The Forest Service will be seeking information, comments, and assistance from the federal, state, and local agencies and other individuals or organizations who may be interested in or affected by the proposed action. Public Meetings will be held from 6:30 P.M. to 9:00 P.M. at the following locations:

Mariposa	Sept 24	at the Best Western Yosemite Way, 4999 State Highway 49
Clovis	Sept 26	at the Sierra NF Headquarters. 1600 Tollhouse Road
Prather	Sept 27	at the High Sierra District Office, 29688 Auberry Road
Oakhurst	Oct 2	at the Oakhurst Community Center, Road 425B

The Notice of Intent is expected to be published in the Federal Register on September 14,

2007 The comment period on the proposed action will extend 30 days from the date the Notice of Intent is published in the Federal Register.

The draft environmental impact statement is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by November 2007. EPA will publish a notice of availability of the draft EIS in the Federal Register. The comment period on the draft EIS will extend 45 days from the date the EPA notice appears in the Federal Register. At that time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. It is very important that those interested in the management of the Sierra NF participate at that time.

The final EIS is scheduled to be completed in January 2008. In the final EIS, the Forest Service is required to respond to substantive comments received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision. Substantive comments are defined as “comments within the scope of the proposed action, specific to the proposed action, and have a direct relationship to the proposed action, and include supporting reasons for the responsible official to consider” (36 CFR 215.2). Submission of substantive comments is a prerequisite for eligibility to appeal under the 36 CFR part 215 regulations.

Comments Requested

This notice of intent initiates the scoping process which guides the development of the

environmental impact statement.

Early Notice of Importance of Public Participation in Subsequent Environmental

Review: A draft environmental impact statement will be prepared for comment. The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the Federal Register.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process.

First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980).

Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45 day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the

